



Montenegro

Ratified the European Convention on Human Rights in 2004

National Judge: Nebojša Vučinić

[Judges' CVs](#) are available on the ECHR Internet site

The Court dealt with 459 applications concerning Montenegro in 2015, of which 452 were declared inadmissible or struck out. It delivered 4 judgments (concerning 7 applications) 3 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2013	2014	2015*
Applications allocated to a judicial formation	289	158	129
Communicated to the Government	15	30	70
Applications decided:	345	447	459
- Declared inadmissible or struck out (Single Judge)	323	433	449
- Declared inadmissible or struck out (Committee)	19	10	1
- Declared inadmissible or struck out (Chamber)	0	3	2
- Decided by judgment	3	1	7
Interim measures:	1	1	0
- Granted	0	0	0
- Refused (including out of scope)	1	1	0

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/01/2016	
Total pending Applications*	180
Applications pending before a judicial formation:	168
Single Judge	39
Committee (3 Judges)	78
Chamber (7 Judges)	51
Grand Chamber (17 Judges)	0

*including applications for which completed application forms have not yet been received

Montenegro and ...

Its contribution to the Court's budget

For 2016 the Court's budget amounts to approximately 71 million euros. That budget is financed by contributions from the 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2016 contribution of Montenegro to the Council of Europe's (EUR 326 million) budget is **EUR 384,063**.

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **679** Registry staff members of whom **1** is a national of Montenegro.

Noteworthy cases, judgments delivered

Chamber

Case dealing with inhuman or degrading treatment (Article 3)

[Milić and Nikezić v. Montenegro](#)

28.04.2015

The case concerned the applicants' allegation that the prison guards had beaten them with rubber batons during a search of their cell. According to the Montenegrin Government, the guards had had to use force against the applicants to overcome their resistance on entering their cell.

Two violations of Article 3 on account of the ill-treatment to which both applicants, Mr Milić and Mr Nikezić, had been subjected during a search of their cell as well as the ineffectiveness of the ensuing investigation into their complaints of ill-treatment

Cases dealing with Article 6

Right to a fair trial

[Velimirović v. Montenegro](#)

02.10.2012

The case concerned the applicant's complaint about the non-enforcement of a final domestic judgment of 1992 concerning flat-allocation by his employer.

Violation of Article 6 § 1

[Tomic and others v. Montenegro](#)

17.04.2012

The applicants - 12 Montenegrin nationals - who, at the time of the facts, were employed by Podgorica Aluminium Plant, were all declared unfit for their jobs partly due to a work-related illness and made redundant in November 2005. The case concerned the domestic courts' rejection of their ensuing claims, in which they had sought the difference between their disability pension and the salary they would have received if they had not been made redundant.

No violation of Article 6 § 1

Right to a fair hearing within a reasonable time

[Zivaljevic v. Montenegro](#)

08.03.2011

Excessive length of administrative proceedings concerning expropriation of the applicants' house and land.

Violation of Article 6 § 1

Enforcement of a final judgment

[Boucke v. Montenegro](#)

21.02.2012

The applicants, mother and daughter, complained that two judgments, which became final in 1998 and 2005 respectively, and which had ordered the father to pay child maintenance, had never been enforced.

Violation of Article 6 § 1

Right to an access to court

[Garzicic v. Montenegro](#)

21.09.2010

Complaint about the Supreme Court's rejection of the applicant's appeal on points of law concerning a property-related claim.

Violation of Article 6 § 1

Cases dealing with private and family life (Article 8)

[Mijuskovic v. Montenegro](#)

21.09.2010

The case concerned the lengthy non-enforcement of a final judgment awarding the applicant custody of her twins, born in 1998, following her ex-husband's refusal to return the children to her after January 2005.

Violation of Article 8

Freedom of expression cases (Article 10)

[Koprivica v. Montenegro](#)

22.11.2011

The case concerned the complaint by a magazine editor that he was found guilty of defamation and ordered to pay excessive compensation for an article his magazine published in 1994 announcing that 16 journalists were going to be tried for war crimes.

Violation of Article 10

Sabanovic v. Montenegro

31.05.2011

The applicant, who made a public statement with regard to the work of the Chief Water Inspector, was convicted for defamation and sentenced to three months in prison, suspended for a period of two years.

[Violation of Article 10](#)

Cases dealing with property issues (Article 1 of Protocol No. 1)

Lakićević and others v. Montenegro

13.12.2011

The applicants, retired owners of private law firms, all complained about the suspension of their pensions between 2004 and 2005 because they had re-opened their legal practices on a part-time basis.

[Violation of Article 1 of Protocol N°1](#)

Bijelic v. Montenegro and Serbia

28.04.2009

The case concerns the non-enforcement of an eviction order concerning a flat in Montenegro and the applicants' inability to live in it.

[Violation of Article 1 of Protocol No. 1](#)

The Court held unanimously that the application was inadmissible in respect of Serbia.

Noteworthy cases, decisions delivered

Vuković v. Montenegro

27.11.2012

The applicant complained in particular under Articles 6 (right to a fair trial) and 13 (right to an effective remedy) about the excessive length of the proceedings before the Restitution Commission upon his

request and a lack of an effective domestic remedy in that regard.

[Application declared inadmissible for non-exhaustion of the domestic remedies.](#)

Eparhija Budimljansko-Nikšićka and Others v. Montenegro

09.10.2012

The case concerned plots of land in Montenegro formerly owned by the diocese Budimljansko-Nikšićka and its churches and monasteries, which had been expropriated after World War II. The applicants complained in particular that their property rights had been breached, as they had not been restituted the land.

[The Court held in particular that the applicants had no legitimate expectation, under Article 1 of Protocol No. 1 \(protection of property\) to the Convention, that they would be restituted, since the key provisions of the law on which they relied had been declared unconstitutional before they filed their request.](#)

Ajdarpašić and Kadić v. Montenegro

23.11.2010

Both applicants complained of the non-enforcement of domestic judicial decisions rendered in their favour in respect of their foreign-currency savings.

[Application declared inadmissible as manifestly ill-founded.](#)

Kavaia and Miljanić v. Montenegro

23.11.2010

The applicants complained about the continuing refusal of Montenegro to release all their foreign-currency savings deposited with what was known in the past as *Jugobanka* together with the interest initially stipulated.

[Complaint under Article 1 of Protocol No. 1. declared manifestly ill-founded.](#)

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